

**REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

**A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Amend claims 41, 47, 50 and 56.
2. Amend dependent claim 43.
3. Respectfully traverse all prior art rejections.

**B. PATENTABILITY OF THE CLAIMS**

Claims 41-47, 49-50 and 56 stand rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,366,961 to Subbiah et al. All prior art rejections are respectfully traversed for at least the following reasons.

Independent claims 41, 47, 50, and 56 have been amended to stress that the protocol stack described by those claims is for a connection which is carried as a circuit switched connection over a radio interface between the user equipment unit and the radio access network.

That the connections described in the original disclosure are circuit switched over the radio access interface (i.e., the interface 23 between the user equipment unit and the radio access network) is manifest from the fact that one of the interfaces over which the protocol stack can be used is (and has been claimed in the independent claims) as “an interface between a core network and a radio access network which carries circuit switched connections”. Moreover, Applicants’ original disclosure addresses the challenge of how to identify user data flows, and in such regard has mentioned that the user data flows are circuit switched connections. *See*, for example, page 21, lines 23 – 25. Further, it is clear that the lowest packet protocol, the Internet Protocol, is described in Applicants’ specification as being terminated in the radio access network. For

example, IP terminating boards are discussed on p. 22, line 16 through p. 23, line 14. The specification does not state that IP termination occurs in the user equipment unit (UE). Consequently the IP network (as regards speech and CS connection) is terminated on the radio access network side of the radio access interface, and thus the radio interface is CS oriented (for speech/CS data).

By contrast, U.S. Patent 6,366,961 to Subbiah et al. does not teach or suggest an arrangement in which a connection is carried as a circuit switched connection over a radio interface between the user equipment unit and the radio access network. Subbiah does provide an interface to the circuit switched network, but the interface to circuit switched communications of the PSTN/GSM network in Fig. 5 resides in the MSC, since all other interfaces illustrated in the figure are packet oriented. Thus Subbiah does not carry a connection as a circuit switched connection over a radio access interface.

The Subbiath base station (BTS) comprises a packet assembly buffer, which means that Subbiath BTS receives packets from the mobile stations, which are assembled into "mini-packets" (col. 7, lines 3-5) for further transport to the MSC in Fig. 5. (Also see col. 3, lines 23-25 and discussion below). This reinforces the fact that Subbiah does not teach or suggest an arrangement in which a connection is carried as a circuit switched connection over a radio access interface.

Consequently, Subbiath does not provided a basis for denying patentability of Applicants' claims, and should be withdrawn as a reference.

#### **D. MISCELLANEOUS**

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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